

## INITIAL STATEMENT OF REASONS

### Section 11-400t.(3)

#### Specific Purpose:

This section is amended to enhance the definition of “Transitional Housing Placement Program (THPP)” to distinguish this housing program for dependent foster/probation youth from those housing programs for emancipated foster/probation young adults. Also, handbook language that is now obsolete is removed.

#### Factual Basis:

The amendment to this section is necessary to differentiate between the two types of programs for youths and to comply with Welfare and Institutions Code Section 16522.

### Section 11-400t.(4)

#### Specific Purpose:

This section is adopted to establish the definition of “Transitional Housing Program – Plus (THP-Plus)” to distinguish this housing program for emancipated foster/probation young adults from THPP a housing program for dependent foster/probation youth.

#### Factual Basis:

This section is necessary to differentiate between the two types of programs for youths and to comply with Welfare and Institutions Code Section 16522 and Health and Safety Code Section 1559.110.

### Sections 11-410.1 et seq.

#### Specific Purpose:

This section is amended to clarify the THPP rate setting methodology.

#### Factual Basis:

This section is necessary to implement the provisions of and to make specific Welfare and Institutions Code Section 11403.3(a)(1).

Sections 11-410.2 et seq.

Specific Purpose:

These sections are adopted to establish the THP-Plus rate setting methodology.

Factual Basis:

These sections are necessary to implement and make specific Welfare and Institutions Code Section 11403.3(a)(2).

Sections 11-410.3 and .31

Specific Purpose:

These sections are adopted to establish a special definitions section specific to this chapter and the definition of “tenant.”

Factual Basis:

These sections are necessary to clarify the term "tenant" as used in the context of the regulations.

Section 11-410.32

Specific Purpose:

This section is adopted to establish the definition of "Transitional Housing Placement Program (THPP) participant."

Factual Basis:

This section is necessary to clarify the term "participant" as used in the context of the regulations.

Section 11-410.33

Specific Purpose:

This section is adopted to establish the definition of "Transitional Housing Placement Program unit."

Factual Basis:

This section is necessary to clarify the term "unit" as used in the context of the regulations.

## Sections 30-002 et seq.

### Specific Purpose:

This section is amended and adopted to clarify terms not sufficiently defined in existing regulations that are a prerequisite for interpretation of the proposed regulations in these sections.

### Factual Basis:

Defining terms to be used in the administration of the programs will ensure that the regulations are evenly and consistently applied to the regulated community. This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 706.6, 727.2, 727.3, 10609.4, 16501, and 16501.5.

## Chapter 30-500 (title) and Sections 30-501 (title) and .1

### Specific Purpose:

These adoptions establish the chapter and section titles and the purpose of the Independent Living Program (ILP) and describe the program intent.

### Factual Basis:

This chapter and sections are necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 706.6, 727.2, 727.3, 10609.4, 16501, and 16501.5.

## Section 30-501.2

### Specific Purpose:

This section is adopted to comply with federal legislation that ILP funds are utilized only for the purposes specific to this program.

### Factual Basis:

This section is necessary to comply with 42 U.S.C. 677.

## Section 30-501.3

### Specific Purpose:

This section is adopted to comply with federal legislation that states ILP funds are not to be used to replace any other funds, which are available for the same purpose.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 677.

Section 30-502 (title) et seq.

Specific Purpose:

This section is adopted to clarify terms not sufficiently defined in existing regulations that are a prerequisite for interpretation of the proposed regulations in these sections.

Factual Basis:

Defining terms to be used in the administration of the programs are necessary to ensure that the regulations are evenly and consistently applied to the regulated community. This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 706.6, 727.2, 727.3, 10609.4, 16501, and 16501.5.

Sections 30-503 (title) and .1

Specific Purpose:

The section title and Section 30-503.1 are adopted to establish the requirement that counties must provide necessary data and reports.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 706.6, 727.2, 727.3, 10609.4, 16501, and 16501.5.

Section 30-504 (title) and .1

Specific Purpose:

This section title and Section 30-504.1 are adopted to establish the requirements that counties provide eligible youth Independent Living Program (ILP) services based upon the current Transitional Independent Living Plan (TILP).

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 706.6, 727.2, 727.3, 10609.4, 16501, and 16501.5.

#### Section 30-505 (title) and .1 through .111

##### Specific Purpose:

This section is adopted to specify eligibility standards for participation in the ILP. Also, Handbook is provided, in part, to cite pertinent language in Welfare and Institutions Code Section 16501(c).

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 677 and Welfare and Institutions Code Section 16501(c).

#### Section 30-506 (title) and .1

##### Specific Purpose:

This section title and Section 30-506.1 are adopted to establish the requirement that counties shall adhere to all reporting requirements.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 677 and Welfare and Institutions Code Sections 11215, 16500.1, 16500.5, 16501, and 16502.1.

#### Section 30-506.2

##### Specific Purpose:

This section is adopted to establish the requirement that the "county of jurisdiction" shall be responsible financially for provision of ILP services for eligible foster/probation youth.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 677.

#### Section 30-506.3

##### Specific Purpose:

This section is adopted to establish the requirement that the county of an emancipated youth's last jurisdiction shall be financially responsible for provision of the ILP.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 677.

#### Section 30-506.4

##### Specific Purpose:

This section is adopted to establish the requirement that the county in which the youth resides shall ensure that the eligible youth are given the opportunity to participate in the ILP. This section includes emancipated youth awaiting the last county of jurisdiction to complete the fiscal and/or administrative process to fund the ILP services the youth is receiving.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 677.

#### Section 30-506.41

##### Specific Purpose:

This section is adopted to establish the requirement that for dependent youth or wards placed out of county, the county of the youth's jurisdiction shall collaborate with the county of placement to ensure that eligible youth receive ILP core services, based upon the youth's most recent TILP. Also, these ILP core services shall be initiated at least 10 working days from the date of the most recently completed TILP, or as soon as practically possible, as documented in the TILP.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 677.

#### Section 30-506.42

##### Specific Purpose:

This section is adopted to establish the requirement that the county of residence shall collaborate with the county of last jurisdiction to provide emancipated youth with ILP core services within 10 working days from the date of most recently completed TILP and/or the youth's written request for services, or as soon as practically possible, as documented by the county of residence.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 677.

#### Section 30-506.43

##### Specific Purpose:

This section is adopted to establish the requirement that the county of residence ILP shall, within 72 hours or sooner if needed, provide referral services to emancipated youth who have an immediate, urgent, need for food, shelter or clothing services.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 677.

#### Section 30-506.44

##### Specific Purpose:

This section is adopted to establish the requirement that no core services shall be denied or delayed to an eligible youth because the county of jurisdiction has not completed the fiscal and/or administrative process to fund ILP services.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 677.

#### Section 30-506.5

##### Specific Purpose:

This section is adopted to require that the county shall provide ILP core services as identified in MPP Section 31-236 to eligible emancipated youth, legally emancipated minors and KinGap youth.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 677 and Welfare and Institutions Code Section 11375(a).

#### Section 30-506.6

##### Specific Purpose:

This section is adopted to require that the county shall collaborate with other public and private agencies to ensure the availability of core services; and to require that counties not duplicate or replace services that are available through other agencies, programs or funding sources.

Factual Basis:

These requirements are necessary to comply with 42 U.S.C. 677 and Welfare and Institutions Code Sections 16500.1 and 16501(c).

Section 30-506.7

This section is adopted to require that counties shall utilize no more than 30% of their county ILP allocation for room and board for eligible emancipated youth.

Factual Basis:

This requirement is necessary to comply with 42 U.S.C. 677.

Section 30-506.8

Specific Purpose:

This section is adopted to comply with federal legislation that requires that counties ensure that they not use any ILP funds for room and board for youth that have not attained 18 years of age.

Factual Basis:

This requirement is necessary to comply with 42 U.S.C. 677.

Section 30-506.9

Specific Purpose:

This section is adopted to require that counties ensure benefits, services, and treatment are fair and equitable to all eligible youth and to require that goals identified in the TILP be supported by the core services. These core services are including but not limited to education, career development, health and safety skills, referrals, daily living skills, financial resources, and housing information.

Factual Basis:

These requirements are necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 358(b), 366, 706, 727.2, 16500.1, 16501, and 18987.6.

Section 30-507 (title) and .1 et seq.

Specific Purpose:

This section title and Section 30-507.1 are adopted to establish the requirements for the utilization of the Emancipated Youth Stipend. Welfare and Institutions Code Sections 10609.3(e)(1) and (2) are cited in handbook to assist users of these regulations.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 10609.3(e)(1).

Chapter 30-900 and Section 30-900 (title) and .1

Specific Purpose:

This chapter and section are adopted to explain that the foregoing regulations are designed to implement programs directly related to the achievement of goals II, III, IV, and I designated in Section 30-001.21.

Factual Basis:

These regulations are necessary to comply with Welfare and Institutions Code Sections 10609.3, 11403.2, and 16522(a) to achieve the goals designated in Title XX of the Social Security Act by facilitating the transition to adulthood for emancipating foster/probation youth pursuant to Section 30-001.21.

Section 30-901 et seq.

Specific Purpose:

This section is to clarify terms not sufficiently defined in existing regulations that are a prerequisite for interpretation of the proposed regulations in these sections.

Factual Basis:

Defining terms to be used in the administration of the programs ensures that the regulations are evenly and consistently applied to the regulated community. These sections are necessary to comply with Welfare and Institutions Code Sections 366, 706.6, 727.2 and .3, 11403(a)(2), 10609.4, 16501, 16501.5, and 16522 and Health and Safety Code Section 1559.110.

Section 30-902 (title) and .1

Specific Purpose:

This title and section are adopted to establish the THPP objectives.

Factual Basis:

This section is necessary to establish the foundation of the regulations and to comply with Welfare and Institutions Code Section 16522 and Health and Safety Code Section 1559.110(f).

#### Section 30-903 (title) and .1

##### Specific Purpose:

This title and section are adopted to specify eligibility requirements for participation in the THPP.

##### Factual Basis:

This section is necessary to implement and make specific Welfare and Institutions Code Sections 11403 and 16522(a).

#### Sections 30-904 (title) and .1 et seq.

##### Specific Purpose:

This title and sections are adopted to establish the THPP rate setting methodology.

##### Factual Basis:

These sections are necessary to implement and make specific Welfare and Institutions Code Section 11403(a)(1).

#### Section 30-904.2

##### Specific Purpose:

This section is adopted to specify that a county may pay an agency a rate less than the rate approved by the Department.

##### Factual Basis:

These sections are necessary to implement and make specific Welfare and Institutions Code Section 11403(a)(1).

#### Section 30-905 (title) and .1

##### Specific Purpose:

This title and section are adopted to specify that those transitional housing placement programs for dependent foster/probation children must be licensed by the Department's Community Care Licensing Division.

##### Factual Basis:

This section is necessary to comply with Health and Safety Code Section 1559.110(a).

Sections 30-906 (title) and .1

Specific Purpose:

This title and section are adopted to establish the county requirements if they plan to certify THPPs and to require that the necessary information to set a rate be provided to the Department.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 11410, 16522.1, 16522.2, 16522.5, and 16522.6 and Health and Safety Code Sections 1559.110 and 1559.115.

Sections 30-906.12 et seq.

Specific Purpose:

These sections are adopted to require counties to develop and submit a plan to the Department and establish the county THPP plan requirements. Additionally, Welfare and Institutions Code Section 16522.2 is included in handbook to provide guidance to the counties.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Sections 16522.1, 16522.2, 16522.5, and 16522.6 and Health and Safety Code Sections 1559.110 and 1559.115.

Section 30-906.2

Specific Purpose:

This section is adopted to establish that county THPP plans shall be reviewed by the Department and be approved based upon the criteria set forth in Section 30-906.12 et seq. Counties may then review and certify agency plans upon receipt of the Department's letter of approval.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 16522.1, 16522.2, 16522.5, and 16522.6 and Health and Safety Code Sections 1559.110 and 1559.115.

Sections 30-907(title) and .1 et seq.

Specific Purpose:

This title and section are adopted to make specific the types of housing styles allowable for transitional housing placement program participants.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 16522(d).

Section 30-907.2

Specific Purpose:

This section is adopted to clarify that the three modes described in Sections 30-907.11, .12 and .13 include the "host site family" and "remote site" models as described in the California Code of Regulations (CCR) Title 22, Sections 86001(h)(3) and (r)(1). The descriptions of the "host site" and "remote site" models are provided in handbook for easy reference.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 16522(d) and for clarification of the models allowed.

Section 30-908 (title) and .1

Specific Purpose:

This title and section are adopted to establish the requirement that county social services agencies or probation departments, as well as county ILP coordinators, must approve placements in the THPP.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 16522.2.

Section 30-908.2

Specific Purpose:

This section is adopted to ensure the child's TILP is reviewed for appropriateness prior to placement in a THPP.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 16522.2.

#### Section 30-909 (title) and .1

##### Specific Purpose:

This title and section are adopted to clarify that THPP participants must have TILPs in their case plans that meet the requirements in Section 31-236.

##### Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 366.3, 706.6, 16501.1, and 11155.5.

#### Section 30-910 (title) and 1

##### Specific Purpose:

This title and section are adopted to establish reporting requirements to enable the Department to monitor the program and to report to the Legislature as requested.

##### Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 16522.6.

#### Section 30-911 (title) and .1

##### Specific Purpose:

This title and section are adopted to provide guidance to agency's by specifying minimum THPP plan requirements.

##### Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 16522.1 and Health and Safety Code Sections 1559.110 and 1559.115.

#### Sections 30-911.1(a) and (b)

##### Specific Purpose:

These sections specify that these standards include assurances that only eligible participants as defined in Section 30-903.1 will be served by the program, assurances of nondiscrimination based on race, gender, sexual orientation, or disability, and assurances that youth who were former wards of the court as described in Welfare and Institutions Code Section 602 and youth receiving psychotropic medications shall be eligible to participate and not automatically excluded due to these factors.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Section 16522.1 and Health and Safety Code Sections 1559.110 and 1559.115.

Section 30-911.1(c) et seq.

Specific Purpose:

This section specifies the admission criteria for participants including age, previous placement history, delinquency history, medical problems, history of drug and alcohol abuse, level of education, mental health history, and work experience.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 16522.1 and Health and Safety Code Sections 1559.110 and 1559.115.

Sections 30-911.1(d), (e), and (f)

Specific Purpose:

These sections specify that assurances by the THPP agency program plan include that each child admitted into the program has an updated TILP, a description of the THPP and how it will assist to ensure that the goals in the TILP are accomplished, and that each participant actively participate in the ILP program.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Section 16522.1 and Health and Safety Code Sections 1559.110 and 1559.115.

Section 30-911.1(g) et seq.

Specific Purpose:

This section specifies assurances that the THPP agency program plan includes the agency's employment policies and criteria for employment.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 16522.1 and Health and Safety Code Sections 1559.110 and 1559.115.

Sections 30-911.1(h) et seq., (i), (j), and (m)

Specific Purpose:

These sections specify assurances that the THPP agency program plan includes a plan: 1) for monitoring the placement, evaluating the progress and reporting such to the ILP and to the county agency with jurisdiction; 2) that allows participants the greatest amount of freedom appropriate for their level of functioning to prepare them for self-sufficiency; and 3) that housing is served by public transportation to enable participants reasonable access to schools, employment, medical care, shopping, and appropriate supportive services. These sections also require a 24-hour emergency number be provided to each participant.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Section 16522.1 and Health and Safety Code Sections 1559.110 and 1559.115.

Sections 30-911.1(k) and (l)

Specific Purpose:

These sections specify assurances that the THPP agency collaborates with counties, social workers/probation officers, ILP coordinators, Student Aid Commission, Employment Development Department (EDD) One-Stop Career Centers, and other agencies and programs to provide support and services to enable the participants to complete the goals outlined on the TILP and that every participant is registered with an EDD federal Job Training and Partnership Act (JTPA) Regional One-Stop Career Center.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Section 16522.1 and Health and Safety Code Sections 1559.110 and 1559.115.

Sections 30-911.1(n), (o), and (p)

Specific Purpose:

These sections specify assurances that the THPP agency provides a description of how each participant's progress will be evaluated; a description of efforts that will be made to track participants for at least two years after leaving the program; and a description of efforts that will be made to link participants with mentors.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Section 16522.1 and Health and Safety Code Sections 1559.110 and 1559.115.

#### Section 30-911.1(q) et seq.

##### Specific Purpose:

This section specifies assurances that the THPP agency program plan includes specific policies regarding participant's education requirements, work expectations, budgeting, savings requirements, lending and borrowing money, unauthorized purchases, personal safety, emergencies, medical problems, disciplinary measures, grounds for termination (including illegal activities and harboring runaways), visitors, dating, curfew, pregnancy, child care, housekeeping, decorating, care of furnishings, use of utilities/telephones, transportation and vehicles, disposition of furnishings when a participant leaves the program, and the incorporation of applicable provisions of Welfare and Institutions Code Section 16522.1.

##### Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 16522.1 and Health and Safety Code Sections 1559.110 and 1559.115.

#### Section 30-911.1(r)

##### Specific Purpose:

This section specifies assurances that the THPP agency program plan includes the agency's budget on a form designed by the Department indicating the rate approved by the county that shall be equal to or lower than the rate approved for the county by the Department. The THPP agency plan shall also include administrative salaries and overhead; direct care staff; social worker; social work supervision; administration attributable to the social worker; and youth allowance that includes telephone, rent, food, clothing, transportation costs, miscellaneous expenses, and utilities.

##### Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 16522.1 and Health and Safety Code Sections 1559.110 and 1559.115.

#### Section 30-911.1(s)

##### Specific Purpose:

This section specifies assurances that the THPP agency program plan includes that any participant funds retained by the provider on behalf of the participant be deposited in an interest bearing savings account in any bank or savings and loan institution whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation and that the principal and interest be distributed to the participant when he/she leaves the program or earlier if permitted by the THPP guidelines.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 16522.1 and Health and Safety Code Sections 1559.110 and 1559.115.

Section 30-912 (title) and .1

Specific Purpose:

This title and section are adopted to establish the THP-Plus program objectives.

Factual Basis:

This section is necessary to establish the foundation of the regulations to comply with Welfare and Institutions Code Section 16522 and Health and Safety Code Section 1559.110(f).

Section 30-913 (title) and .1

Specific Purpose:

This title and section are adopted to specify eligibility requirements for participation in the Transitional Housing Placement-Plus (THP-Plus) program.

Factual Basis:

This section is necessary to implement and make specific Welfare and Institutions Code Section 16522(b) and Health and Safety Code Section 1559.110(c).

Section 30-913.2

Specific Purpose:

This section is adopted to establish the requirement that young adults cannot participate in THP-Plus for more than a total of 24 non-consecutive months.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11403.2(a)(2).

Sections 30-914 (title) and .1 through .3

Specific Purpose:

This title and sections are adopted to establish the THP-Plus rate setting methodology.

Factual Basis:

These sections are necessary to implement and make specific Welfare and Institutions Code Section 11403(a)(1).

Sections 30-915 (title) and .1 through .13

Specific Purpose:

This title and sections are adopted to establish the county THPP plan requirements that meet the requirements of Welfare and Institutions Code Sections 16522 through 16522.6.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Sections 16522, 16522.1, 16522.2, 16522.5, and 16522.6 and Health and Safety Code Sections 1559.110 and 1559.115.

Sections 30-916 (title) and .1 through .4

Specific Purpose:

This title and sections are adopted to make specific the types of housing styles allowable for THP-Plus program tenants.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Sections 1896.6 and 11403.2.

Section 30-916.2

This section is adopted to promote collaboration among public and private stakeholders to enhance the development of services to assist in promoting emancipation success of youth who have aged out of foster/probation care and to complete the goals outlined in their Supportive Transition Emancipation Program/Transitional Housing Program-Plus (STEP/THP-Plus) TILPs.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Sections 1896.6 and 11403.2.

Section 30-917 (title) and .1

Specific Purpose:

This title and section are adopted to establish the requirement that as a condition of participation in THP-Plus is dependent upon a tenant's active development and execution of a transitional independent living plan.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11403.2(2).

Sections 30-918 (title) and .1 et seq.

Specific Purpose:

This title and sections are adopted to implement the requirements of the STEP/THP-Plus TILPs that describe a tenant's current level of functioning and contains the educational/vocational or other goals related to self-sufficiency mutually agreed upon by the tenant and the county designee.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Section 11403.2(a)(2).

Sections 30-918.11 and .11(a) through (s)

Specific Purpose:

These sections are adopted to implement the activity and service requirements of the STEP/THP-Plus TILPs designed to achieve the following goals: education and completion of application for college, vocational training, or other educational or employment programs; gainful employment; receipt of information from and registered into an EDD One-Stop Career Center; development of daily living skills; knowledge of preventative health activities (including, but not limited to, smoking, substance abuse, and pregnancy prevention); acquisition of safe affordable housing; development of a mentoring relationship with a responsible adult and personal responsibility skills; receipt of important documents (including, but not limited to, a birth certificate, social security card, ID card or driver's license, proof of citizenship or residency status, and school and medical and immunization records); mental health counseling; a work permit; a bank account; names, phone numbers, and addresses of known relatives; a Medi-Cal card; information regarding and completed applications for other sources of financial support, including, but limited to, SSI, TANF, scholarships and grants; and referral to appropriate county adult social services agencies, as needed.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Section 11403.2(a)(2).

Section 30-918.2

Specific Purpose:

This section is adopted to require STEP/THP-Plus TILP annual review and updates.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11403.2(a)(2).

Section 30-919 (title) and .1

Specific Purpose:

This title and section are adopted to establish county reporting requirements to enable the Department to monitor the program and to report to the Legislature as requested.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 11403.2 and 16522.6.

Sections 30-920 (title), .1, and .1(a) and (b)

Specific Purpose:

This title and sections are adopted to provide guidance to agencies by specifying minimum THP-Plus plan requirements which closely follow those outlined in Sections 30-911 for THPPs. This section specifies that these standards ensure that only eligible participants as defined in Section 30-900.13 will be served by the program, and ensures nondiscrimination based on race, gender, sexual orientation, or disability, and ensures that youth who were former wards of the court as described in Welfare and Institutions Code Section 602 and youth receiving psychotropic medications shall be eligible to participate and not automatically excluded due to these factors.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Sections 602 and 16522.1 and Health and Safety Code Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 1580 and Civil Code Sections 1940 et seq.

#### Sections 30-920.1(c), (d), and (e)

##### Specific Purpose:

These sections are adopted to ensure that the agency, with the assistance of a county designee, assists each tenant to complete the Department-designed STEP/THP-Plus TILP; describes how it will assist tenants to live independently and accomplish the goals described in the STEP/THP-Plus TILP; and that the STEP/THP-Plus TILP is updated at least annually or as needed to reflect necessary changes.

##### Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Sections 602 and 16522.1 and Health and Safety Code Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 1580 and Civil Code Sections 1940 et seq.

#### Sections 30-920.1(f) and (g)

##### Specific Purpose:

These sections are adopted to ensure that tenants are allowed the greatest amount of freedom possible to prepare them for self-sufficiency; and that the housing has reasonable transportation to access schools, employment, appropriate supportive services, shopping, and medical care.

##### Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Sections 602 and 16522.1 and Health and Safety Code Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 1580 and Civil Code Sections 1940 et seq.

#### Sections 30-920.1(h) and (i)

##### Specific Purpose:

These sections are adopted to ensure that criminal record clearances are required of all agency employees and that programs comply with applicable federal, state and local housing laws and fire clearance requirements.

##### Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Sections 602 and 16522.1 and Health and Safety Code Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 1580 and Civil Code Sections 1940 et seq.

#### Sections 30-920.1(j), (k), (l), and (m)

##### Specific Purpose:

These sections are adopted to ensure that no more than two tenants share a bedroom, tenants have the right to be free from arbitrary or capricious rules, and the tenant's right to confidentiality and privacy is respected.

##### Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Sections 602 and 16522.1 and Health and Safety Code Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 1580 and Civil Code Sections 1940 et seq.

#### Sections 30-920.1(n) and (o)

##### Specific Purpose:

These sections are adopted to ensure that the functions of property management and service provider are not blended and that the roles and responsibilities of each part of the organization clearly delineated. In addition the agency is required to comply with California landlord tenant law (Civil Code Section 1940, et seq.) and or the Transitional Housing Misconduct Act (Health and Safety Code Section 50580 et seq.).

##### Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Sections 602 and 16522.1 and Health and Safety Code Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 1580 and Civil Code Sections 1940 et seq.

#### Section 30-920.1(p)

##### Specific Purpose:

This section is adopted to ensure that when medical services are needed by tenants, these services shall be provided by a medical professional or an appropriately licensed county clinic or adult day health center. These services may be offered off-site or through a home visit program.

##### Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 602 and 16522.1 and Health and Safety Code Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 1580 and Civil Code Sections 1940 et seq.

#### Section 30-920.1(q)

##### Specific Purpose:

This section is adopted to ensure that tenants be given the opportunity to choose regarding which services to access and the location of the services, as long as the goals of the STEP/THP-Plus TILP are being met.

##### Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 602 and 16522.1 and Health and Safety Code Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 1580 and Civil Code Sections 1940 et seq.

#### Section 30-920.1(r)

##### Specific Purpose:

This section is adopted to ensure that the THP-Plus program is clearly distinguishable from those that are required to be licensed as an Adult Residential Care facility under Health and Safety Code Section 1502(a)(1) or Health and Safety Code Section 1503.5(a).

##### Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 602 and 16522.1 and Health and Safety Code Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 1580 and Civil Code Sections 1940 et seq.

#### Sections 30-920.1(s) and (t)

##### Specific Purpose:

These sections are adopted to ensure that the applicable provisions of Welfare and Institutions Code Section 16522.1 are incorporated and that a description of the tenant application process and selection criteria are included.

##### Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Sections 602 and 16522.1 and Health and Safety Code Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 1580 and Civil Code Sections 1940 et seq.

### Section 30-920.1(u)

#### Specific Purpose:

This section is adopted to ensure that the THPP plan includes that any participant funds retained by the provider on behalf of the participant be deposited in an interest bearing savings account in any bank or savings and loan institution whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation and that the principal and interest be distributed to the participant when he/she leaves the program or earlier if permitted by the THPP guidelines.

#### Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 602 11403.2, and 16522.1 and Health and Safety Code Sections 1502(a)(1), 1503.5(a), 1559.110, 1559.115, and 1580 and Civil Code Sections 1940 et seq.

### Section 31-002

#### Specific Purpose:

This section is amended to clarify terms not sufficiently defined in existing regulations that are a prerequisite for interpretation of the proposed regulations in these sections. Defining terms to be used in the administration of the programs ensures that the regulations are evenly and consistently applied to the regulated community.

#### Factual Basis:

These definitions are necessary to achieve the goals of the Legislature in facilitating the transition to adulthood for emancipating foster/probation youth. These sections are necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 706.6, 727.2, 727.3, 7002, 16501, 16501.5, and 10609.4.

### Section 31-206.37

#### Specific Purpose:

This section is amended to use terms consistent within the THPP regulations and to correct a cross-reference.

#### Factual Basis:

This section is necessary for clarity and consistency.

## Section 31-236 (title) and (a) and (a)(1) handbook

### Specific Purpose:

This title and section are amended to establish the requirement that the social worker develop a written TILP which describes the programs and services for each child age 16 and older based on an assessment of the child's skills and current level of functioning and activities which will help the child transition from foster care to independent living. In addition, the TILP is required to be reviewed, approved, signed and dated by the social worker/probation officer and the youth every six months. Handbook Section 31-236(a)(1) is included to clarify that the social worker/probation officer is the person responsible for utilizing the test results in the TILP to reflect the needs and goals of the youth.

### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

## Section 31-236(a)(2)

### Specific Purpose:

This section is adopted to establish the requirement the TILP completion time frames of the TILP for youth who entered foster care after their 16<sup>th</sup> birthday.

### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

## Section 31-236(a)(3)

### Specific Purpose:

These sections are adopted to establish the requirement that the social worker/probation officer incorporate the TILP into the case plan and court reports as outlined in MPP Section 30-332 and Section 30-334 and Welfare and Institutions Code Sections 366.3 and .4 and .391.

### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 358(b), 358.1, 366.3, 706.5, 727.2(e)(5), and 727.3, and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-236(a)(4)

##### Specific Purpose:

These sections are adopted to establish the option of a county to extend ILP services to youth younger than 16 years of age.

##### Factual Basis:

These sections are necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-236(a)(5)

##### Specific Purpose:

These sections are adopted to establish the requirement that the TILP shall be incorporated into the case plan as specified in MPP Section 31-206.37.

##### Factual Basis:

These sections are necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Sections 31-236(a)(6) and (a)(6)(A) (Handbook)

##### Specific Purpose:

These sections establish the requirement that the Social worker/probation officer utilize a nationally-recognized assessment tool in developing the TILP. Handbook Section 31-236(a)(6)(A) provides examples of nationally recognized assessment tools.

##### Factual Basis:

These sections are necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections, 391, and 16501.2(a)(3), and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-236(a)(7)

##### Specific Purpose:

These sections are adopted to establish that these rules must be followed to qualify for income exemption regulations of a dependent child if employment is for a purpose of the child's TILP

goals pursuant to Welfare and Institutions Code Section 11008.15 and the youth is a participant of an ILP.

Factual Basis:

These sections are necessary to comply with the Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272) and 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 11155.5, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

Section 31-236(b)

Specific Purpose:

This section is adopted to require that the social worker/probation officers update the TILP at least every six months or as requested by the youth in order to document and reflect changes, progress or other needed modifications identified in the TILP.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

Section 31-236(c)

Specific Purpose:

This section is adopted to ensure that the youth has participated directly in the development of his/her TILP.

Factual Basis:

This requirement is necessary to comply with 42 U.S.C. 672(a) and 42 U.S.C. 677 and the provisions of AB 1979 (Chapter 271, Statutes of 2002).

Section 31-236(d)

Specific Purpose:

This section is adopted to ensure that the TILP is completed, regardless if the youth chooses to cooperate. Documentation shall include the reasons for refusal and the efforts to obtain the youth's cooperation.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

Section 31-236(e)

Specific Purpose:

This section is adopted to establish the requirement that the child and others who are essential to the goal completion of the TILP are provided copies of each completed TILP.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, 16501.5, and 18987.6 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

Section 31-236(f)

Specific Purpose:

This section is adopted to establish the requirement that the TILP document must be consistent statewide and that it has been developed and approved by the State and other stakeholders and that it is to be located on the Child Welfare Services Case Management System (CWS/CMS).

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

Section 31-236(g)

Specific Purpose:

These sections are adopted to establish the requirement that the social worker/probation officer of the county of jurisdiction must provide information and assistance to the child regarding the ILP.

Factual Basis:

These sections are necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

### Section 31-236(g)(1)

#### Specific Purpose:

This section is adopted to establish the requirement that the if ILP services have been identified as appropriate for the child, that participation in the ILP is included in the TILP.

#### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

### Section 31-236(g)(2)

#### Specific Purpose:

This requirement is adopted to ensure that children, prior to emancipating from foster care, have been provided with the ILP services as described in their TILP.

#### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677, Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

### Section 31-236(g)(3)

#### Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer shall defer the child from participating in the ILP only if the child's primary physical or health care professional/mental health care professional has determined the child unable to benefit or if the youth declines to participate in the ILP. The reason for the deferral must be documented in the TILP. It also establishes that at least every six months the deferment shall be redetermined and documented in the TILP.

#### Factual Basis:

This requirement is necessary to comply with federal and state codes to ensure that all children eligible for and capable of participating in services will receive services. This requirement will also ensure that the case plan documents the reasons services are not appropriate. These requirements are pursuant to 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-236(g)(4)

##### Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer ensures provision of necessary records, referrals, and documents in order for the child to receive ILP services and to meet the goals for successful transition as described in the TILP.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-236(g)(5)

##### Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer ensures that the child is provided with a means of transportation in order to participate in the ILP.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-236(g)(6)

##### Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer ensures that the child has access to the ILP core services.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-236(g)(7)

##### Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer must ensure that participation in the ILP is not used as a punishment or as a reward.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-236(h)

##### Specific Purpose:

This section is adopted to require that the social worker/probation officers collaborate with various public and private agencies and persons in order to assist the youth to complete the emancipation preparation goals of the TILP.

##### Factual Basis:

This requirement is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 358(b), 366, 706, 727.2, 16500.1, 16501, and 18987.6.

#### Sections 31-236(i) and (i)(1) through (12)

##### Specific Purpose:

These sections are adopted to require that the services described in the TILP are assisting with the fulfillment of emancipation preparation goals.

##### Factual Basis:

These sections are necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-236(j)

##### Specific Purpose:

This section is adopted to require that certain documentation needed to enroll in school, to obtain employment, etc. is to be provided to the youth prior to discharge.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 391 and 42 U.S.C. 677 and 672.

Section 31-236(k)

Specific Purpose:

This section is adopted to require that the social worker/probation officer ensures that funds withdrawn from the youth's emancipation account be expended for purposes directly related to the goal of emancipation to allow the youth to be more prepared financially for emancipation.

Factual Basis:

The requirement is necessary to comply with 42 U.S.C. 672(a) and Welfare and Institutions Code Section 11155.5 and AB 1261 (Chapter 686, Statutes of 2001).

Section 31-236(l)

Specific Purpose:

This section is adopted to ensure that youth emancipation funds are tracked by the social worker/probation officer.

Factual Basis:

This requirement is necessary to comply with Welfare and Institutions Code Section 11155.5 and 42 U.S.C. 672(a) and the provisions of AB 1979 (Chapter 271, Statutes of 2002).

Sections 31-236(m) and (m)(1) (Handbook)

Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer give consideration to the THPP as a type of placement setting for the child. Handbook Section 31-236.31 provides Welfare and Institutions Code Section 16522(a), in part for ease of use by the users of these regulations.

Factual Basis:

This requirement is necessary to comply with Welfare and Institutions Code Sections 11403.2(a)(1), 11402(g), and 16522, et seq.

## Sections 31-525 (title) and .1 through .17

### Specific Purpose:

This section title is amended to reflect the correct title of the ILP. The language of this section is repealed since it is now obsolete and replaced by the new requirements that follow.

### Factual Basis:

The amendment to the section title and the repeal of the obsolete language is necessary to comply with 42 U.S.C. 677 and Welfare and Institutions Code Section 16501.

## Section 31-525.1

### Specific Purpose:

This section is adopted to establish the requirement that counties develop and implement the ILP to provide program services and activities to assist eligible youth to live independently.

### Factual Basis:

This requirement is necessary to comply with 42 U.S.C. 677 and Welfare and Institutions Code Section 16501.

## Section 31-525.2

### Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer must determine ILP eligibility. Eligibility shall be completed concurrently with the initial TILP and reevaluated with each TILP update.

### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, and 16501(a)(3)(c), and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

## Section 31.525.3

### Specific Purpose:

This section is adopted to establish the criteria for eligibility for ILP services.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 10609.3(d), 16501, and 16501.5 and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

Section 31-525.31

Specific Purpose:

This section is adopted to establish the criteria for eligibility for ILP services.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366 et seq., 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

Section 31-525.32

Specific Purpose:

This section is adopted to establish the criteria for eligibility for ILP services for Kinship Guardian Assistant Payment Program (KinGap) recipients.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11375(a).

Section 31-525.33

Specific Purpose:

This section is adopted to allow counties the option of providing an ILP for youth younger than age 16 if the youth's county of residence has a county plan for an ILP for younger youth. This section also establishes that if the youth's county of residence offers an ILP for younger youth, but youth's county of jurisdiction is not also the county of residence then participation in the ILP for youth younger than 16 years of age shall only be with prior approval of that youth's county of jurisdiction.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 677.

#### Section 31-525.4

##### Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer shall deferred the child from participating in the ILP only if the child's primary care physical or health /mental health care professional has determined the child unable to benefit or if the youth declines to participate in the ILP. The reason for the deferral must be documented in the TILP. It also establishes that at least every six months the deferment shall be redetermined and documented in the TILP.

##### Factual Basis:

This requirement is necessary to comply with federal and state codes to ensure that all children eligible for and capable of participating in services will receive services. This requirement will also ensure that the case plan documents the reasons services are not appropriate. These requirements are pursuant to 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Sections 31-525.5 and .51 (Handbook)

##### Specific Purpose:

This section is adopted to establish the requirement that eligibility shall be determined by the county and not by outside agencies, such as contractors and vendors. Handbook Section 31-525.51 is included to provide users the language of Welfare and Institutions Code Section 16501(c).

##### Factual Basis:

Section 31-525.5 is necessary to comply with 42 U.S.C. 672 and Welfare and Institutions Code Section 16501(a)(3)(c), and to clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-525.6

##### Specific Purpose:

This section is adopted to establish the requirements that social workers/probation officers shall ensure are completed in order to achieve the goals of the TILP and for successful transitions for emancipating youth.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

Section 31-525.61

Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer must provide information and assistance to the child regarding the ILP.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

Section 31-525.62

Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer ensure that participation in the ILP is not used as a punishment or as a reward.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

Section 31-525.63

Specific Purpose:

This section is adopted to establish the requirement that the TILP document is to be consistent statewide and that it has been developed and approved by the State and other stakeholders and that it is to be located on the Child Welfare Services/Case Management System.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-525.64

##### Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer ensures that the child has access to the ILP core services as described in MPP Section 31-525.8.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-525.65

##### Specific Purpose:

This section is adopted to require that the social worker/probation officers collaborate with various public and private agencies and persons in order to assist the youth to complete the emancipation preparation goals of the TILP.

##### Factual Basis:

This requirement is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 706, 727.2, 16500.1, 16501, and 18987.6.

#### Section 31-525.66

##### Specific Purpose:

This requirement is necessary in order to ensure that children, prior to emancipating from foster care, have been provided with the ILP services as described in their TILP.

##### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

#### Section 31-525.67

##### Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer defers the child from participating in the ILP only if the child's primary care physical or health/mental health care professional has determined the child unable to benefit or if the youth

declines to participate in the ILP. The reason for the deferral must be documented in the TILP. It also establishes that at least every six months the deferment shall be redetermined and documented in the TILP.

Factual Basis:

This requirement is necessary to comply with federal and state codes to ensure that all children eligible for and capable of participating in services will receive services. This requirement will also ensure that the case plan documents the reasons services are not appropriate and are pursuant to 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, and 706.6.

Section 31-525.68

Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer shall ensure provision of necessary records, referrals and documents in order for the child to received ILP services and to meet the goals for successful transition as described in the TILP

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

Sections 31-525.7 and .71

Specific Purpose:

These sections are adopted to establish that ILP coordinators shall ensure all requirements are completed in order to achieve the goals of the TILP and for successful transitions for emancipating youth.

Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

### Section 31-525.72

#### Specific Purpose:

This section is adopted to require that the ILP Coordinators shall collaborate with various public and private agencies and persons in order to assist the youth to complete the emancipation preparation goals of the TILP.

#### Factual Basis:

This requirement is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 358(b), 366, 706, 727.2, 16500.1, 16501, and 18987.6.

### Section 31-525.73

#### Specific Purpose:

This section is adopted to establish the requirement that the social worker/probation officer shall ensure that participation in the ILP is not used as a punishment or as a reward.

#### Factual Basis:

This section is necessary to comply with 42 U.S.C. 675 and 677 and Welfare and Institutions Code Sections 366, 391, 706.6, 727.2, 727.3, 16501, and 16501.5 and clarify the provisions implemented by AB 1979 (Chapter 271, Statutes of 2002).

### Section 31-525.74

#### Specific Purpose:

This section is adopted to require that counties shall not duplicate or replace services that are available through other agencies, programs or funding sources.

#### Factual Basis:

This requirement is necessary to comply with 42 U.S.C. 677 and Welfare and Institutions Code Sections 16500.1 and 16501(3)(c).

### Section 31-525.75

#### Specific Purpose:

This section is adopted to establish the requirement that the Independent Living Coordinator shall recruit and offer ILP services to eligible emancipated youth, legally emancipated minors and KinGap.

Factual Basis:

This requirement is necessary to comply with 42 U.S.C 677 and Welfare and Institutions Code Sections 16501 and 16501.1.

Section 31-525.76

Specific Purpose:

This section is adopted to require that counties ensure that all benefits, services, and treatment are fair and equitable to all eligible youth.

Factual Basis:

This requirement is necessary to comply with 42 U.S.C. 677.

Sections 31-525.77 and .771, et seq. (Handbook)

Specific Purpose:

This section is adopted to establish the requirements for the utilization of the Emancipated Youth Stipend. Handbook Section 31-525.761 is provided to allow users of these regulations to easily view Welfare and Institutions Code Section 10609.3(e)(1) that describes the Emancipated Youth Stipend and its purpose.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 10609.3(e)(1).

Sections 31-525.8 through .87

Specific Purpose:

These sections are adopted to require that goals identified in the TILP be supported by the core services. These core services include, but not limited to, education, career development, health and safety skills, referrals, daily living skills, financial resources, and housing information.

Factual Basis:

These requirements are necessary to comply with 42 U.S.C. 675, 677 and Welfare and Institutions Code Sections 358(b), 366, 706, 727.2, 16500.1, 16501, and 18987.6.

b) Identification of Documents Upon Which Department Is Relying

- Assembly Bill 427, Chapter 125, Statutes of 2001
- Assembly Bill 1979, Chapter 271, Statutes of 2002
- Assembly Bill 1119, Chapter 639, Statutes of 2002
- Foster Care Independence Act of 1999 (H. R. 3443)

c) Local Mandate Statement

These regulations do impose a mandate on local agencies but not on school districts. There are no state mandated costs in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code because these regulations merely amend existing Divisions 11, 30, and 31 regulations and adopt regulations that clarify policy issues for currently funded programs.

d) Statement of Alternatives Considered

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

e) Statement of Significant Adverse Economic Impact On Business

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.